

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

CYNTHIA GREEN,

Plaintiff,

CASE NO. 14-14280

HON. DENISE PAGE HOOD

v.

NATIONWIDE ARBITRATION SERVICES,
LLC, *et al*,

Defendants.

**OPINION AND ORDER ADOPTING REPORT AND
RECOMMENDATION [#128] TO GRANT IN PART AND DENY IN PART
PLAINTIFF’S EMERGENCY MOTION FOR SUPPLEMENTAL FEES
AND COSTS [#102; #125]**

This matter is before the Court on a Report and Recommendation (Doc # 128) filed by Magistrate Judge David R. Grand on Plaintiff Cynthia Green’s (“Green”) “Emergency Motion for Supplemental Fees and Costs” (Doc # 102) and “Supplement to Plaintiff’s Emergency Motion for Supplemental Fees and Costs” (Doc # 125). To date, no objections were filed to the Report and Recommendation, and the time to file such has passed. The Court ACCEPTS and ADOPTS the Report and Recommendation. Green’s “Emergency Motion for Supplemental Fees and Costs” and “Supplement to Plaintiff’s Emergency Motion

for Supplemental Fees and Costs” are GRANTED IN PART and DENIED IN PART.

The background facts of this matter are adequately set forth in the Magistrate Judge’s Report and Recommendation, and the Court adopts them here.

The standard of review by the district court when examining a Report and Recommendation is set forth in 28 U.S.C. § 636. This Court “shall make a *de novo* determination of those portions of the report or the specified proposed findings or recommendations to which an objection is made.” 28 U.S.C. § 636(b)(1)(C). The court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” *Id.* In order to preserve the right to appeal the magistrate judge’s recommendation, a party must file objections to the Report and Recommendation within fourteen (14) days of service of the Report and Recommendation. Fed. R. Civ. P. 72(b)(2). Failure to file specific objections constitutes a waiver of any further right of appeal. *Thomas v. Arn*, 474 U.S. 140, 155 (1985); *Howard v. Sec’y of Health & Human Servs.*, 932 F.2d 505, 508-09 (6th Cir. 1991); *United States v. Walters*, 638 F.2d 947, 949-50 (6th Cir. 1981).

After review of the Magistrate Judge’s Report and Recommendation, the Court finds that his findings and conclusions are correct.

Accordingly,

IT IS HEREBY ORDERED that Magistrate Judge David R. Grand's Report and Recommendation (Doc # 128) is ACCEPTED and ADOPTED as this Court's findings of fact and conclusions of law.

IT IS FURTHER ORDERED that Plaintiff's "Emergency Motion for Supplemental Fees and Costs" (Doc # 102) and "Supplement to Plaintiff's Emergency Motion for Supplemental Fees and Costs" are GRANTED IN PART and DENIED IN PART.

IT IS FURTHER ORDERED that Green is awarded costs of \$435.50 and fees of \$13,550.63 against Defendants Matthew Marcucci and Nationwide Arbitration Services, LLC.

IT IS FURTHER ORDERED that Green's present Motions (Doc # 102; Doc # 125) are DENIED WITHOU PREJUDICE in all other respects.

S/Denise Page Hood

Denise Page Hood

Chief Judge, United States District Court

Dated: January 31, 2018

I hereby certify that a copy of the foregoing document was served upon counsel of record on January 31, 2018, by electronic and/or ordinary mail.

S/LaShawn R. Saulsberry

Case Manager